

## IN THE UNITED STATES RECEIVING OFFICE

Applicant : Noritsugu Yamasaki et al.  
Serial No. : 09/869,101  
Filed : June 22, 2001  
Title : BENZIMIDAZOLE DERIVATIVES

**BOX PCT**

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
mailed September 6, 2001, Applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration.
- ☒ A check in the total amount of \$130 is attached.
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63; and
- ☒ Other: Petition for One-Month Extension of Time and a \$110 check for the required fee.

12/14/2001 UEDUVIJE 00000118 09869101

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130.00 OP

## CERTIFICATE OF MAILING BY EXPRESS MAIL

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I hereby certify under 37 CFR §1.10 that this correspondence is being  
deposited with the United States Postal Service as Express Mail Post.

Secretary

Applicant : Noritsugu Yamada et al.  
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Page : 2

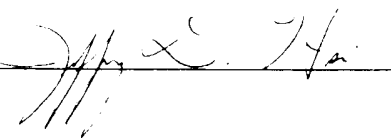
Attorney's Doc. No.: 06501-082001 D1-006PCT-  
US

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 5, 2001

Jeffrey D. Hsi  
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INTERNATIONAL APPLICATION

PCT/JP99/07222

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SEP 10 2001

EXAMINATION DATE

FILING DATE

22 DEC 99

06 SEP 2001

FISH & RICHARDSON, P.C.  
BOSTON OFFICE

DATE MAILED

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as: ☐ a Designated Office 37 CFR 1.494; ☒ an Elected Office 37 CFR 1.495.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee   | <input type="checkbox"/> Indication of Small Entity Status                                    |
| <input checked="" type="checkbox"/> Copy of the international application   | <input checked="" type="checkbox"/> Translation of the international application into English |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors  | <input type="checkbox"/> Translation of Article 19 amendments into English                    |
| <input type="checkbox"/> Copy of Article 19 amendments  | <input type="checkbox"/> Other  |
| <input type="checkbox"/> Priority Document  |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English        |   |

2. Applicant has requested early processing under 35 U.S.C. 371 (b) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |  |  |
|--|--|
| <input type="checkbox"/> U.S. Basic National Fee | <input type="checkbox"/> Copy of the international application |
|--|--|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
The current translation is in a defective form for the reasons indicated in the attached PCT/DO/EO/917.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date. 37 CFR 1.492(f).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application, preferably by the international application number and international filing date. A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date. 37 CFR 1.492(e).
- Additional claim fees. If \$... as a... large entity... small entity... including any request must plus dependent...  
Applicant must submit the additional claim fees, or request the additional claim fees for examination are... See attached PTO 875.

4. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821.1.825. See attached PCT/DO/EO/917.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.***A copy of this notice MUST be returned with this response.*